

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ROBERT JEAN HUDSON,	§
<i>Petitioner,</i>	§
VS.	§ CIVIL ACTION NO. 3:03-CV-1643-K
	§ (death-penalty Case)
NATHANIEL QUARTERMAN, Director,	§
Texas Department of Criminal Justice,	§
Correctional Institutions Division,	§
<i>Respondent.</i>	§

**CERTIFICATE AS TO APPEALABILITY**

Considering the record in this case, pursuant to Federal Rule of Appellate Procedure 22(b) and 28 U.S.C. § 2253(c), the Court hereby finds and orders:

**IFP STATUS:**

- (X) the party appealing is GRANTED *in forma pauperis* status on appeal. Petitioner moved to proceed *in forma pauperis* in this case on June 30, 2004 (Doc. 18), and the Court denied Petitioner's motion as moot (Doc. 19) because Petitioner had paid the filing fee. For purposes of the instant motion, however, the amount of money listed on the Certificate of Inmate Trust Account as of the date Hudson moved to proceed *in forma pauperis* is relevant, and Petitioner is GRANTED *in forma pauperis* status on appeal.
- ( ) the party appealing is DENIED *in forma pauperis* status on appeal for the following reasons:
  - ( ) the Court certifies, pursuant to Fed. R. App. P. 24(a) and 28 U.S.C. § 1915 (a)(3), that the appeal is not taken in good faith.
  - ( ) the person appealing is not a pauper because he has paid the appellate filing fee;
  - ( ) the person appealing has not complied with the requirements of Rule 24 of the Federal Rules of Appellate Procedure and /or 28 U.S.C. § 1915(a)(1) as ordered by the Court. (See Notice of Deficiency and Order entered on \_\_\_\_\_).

**COA:**

- ( ) a Certificate of Appealability is GRANTED on the following issues: \_\_\_\_\_
- (X) a Certificate of Appealability is DENIED. The Court hereby incorporates by reference the Memorandum Opinion and Order entered in this case on September 20, 2007, in support of this Court's finding that Petitioner has failed to make a substantial showing of the denial of a federal constitutional right in each of the matters made the subject of his motion for COA . *See Slack v. McDaniel*, 529 U.S. 473, 120 S. Ct. 1595, 1602, 146 L. Ed .2d 542 (2000).

**SIGNED this 23<sup>rd</sup> day of October, 2007.**

A handwritten signature in dark ink, reading "Ed Kinkeade", written in a cursive style.

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**ED KINKEADE  
UNITED STATES DISTRICT JUDGE**